

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE
OF TIKI SERIES V TRUST,

Plaintiff,

ORDER

– against –

No. 24-CV-5615 (CS)

ALFONSO AMELIO, *et al.*,

Defendants.

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Seibel, J.

Defendant Carmine Amelio removed the above-captioned action from New York Supreme Court, County of Orange, to this court on July 22, 2024. (ECF No. 1.) This removal is improper for, among other things, failure to provide written consent to removal from any other Defendant. *See Gold Town Corp. v. United Parcel Serv., Inc.*, 519 F. Supp. 3d 169, 175 (S.D.N.Y. 2021) (“[W]ritten consent from the non-removing co-defendants is required for a state-court action to properly be removed.”) (emphasis in original) (collecting cases).¹

Accordingly, it is hereby ORDERED that this action be REMANDED forthwith to the Supreme Court of the State of New York, County of Orange.

SO ORDERED.

Dated: August 22, 2024
White Plains, New York


CATHY SEIBEL, U.S.D.J.

¹ It appears that Defendant Carmine Amelio wishes to obtain reversal of the state court judgment of foreclosure and sale. He should do so through an appeal within the state court system.